Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED MINUTES AND SUMMARY

SUMMARY

Thursday, September 21, 2023 2425 Reedie Drive Wheaton, MD 20902 301-495-4605

The Montgomery County Planning Board met in regular session in the Wheaton Headquarters Building in Wheaton, Maryland, and via Microsoft Teams video conference on Thursday, September 21, 2023, beginning at 9:04 a.m. and adjourning at 3:40 p.m.

Present were Chair Artie Harris, Vice Chair Mitra Pedoeem, and Commissioners Shawn Bartley, James Hedrick and Josh Linden.

Items 1 through 7 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 11:23 a.m. and reconvened in the auditorium and via video conference to return to open session at 1:09 p.m. to discuss Items 8 through 11, as reported in the attached Minutes.

There being no further business, the meeting adjourned at 3:40 p.m. The next regular meeting of the Planning Board will be held on Thursday, September 28, 2023, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich

Rachel Rochrich

Technical Writer/Legal Assistant

MINUTES

Item 1. Preliminary Matters

A. Adoption of Resolutions

1. Woodward High School Reopening, Phase 2 – Forest Conservation Plan No. F20230360 – MCPB No. 23-094

BOARD ACTION

Motion: Hedrick/Bartley

Vote: 3-0-2

Other: Vice Chair Pedoeem and Commissioner Linden abstained due to being absent

on September 7, 2023.

Action: Adopted the Resolution cited above, as submitted.

B. Approval of Minutes

1. Minutes for September 7, 2023

2. Closed Session Minutes for September 7, 2023

BOARD ACTION

Motion: Hedrick/Bartley

Vote: 3-0-2

Other: Vice Chair Pedoeem and Commissioner Linden abstained due to being absent

on September 7, 2023.

Action: Approved the Minutes and Closed Session Minutes for September 7, 2023, as

submitted.

C. Other Preliminary Matters

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Other Preliminary Items submitted for approval.

Item 2. Record Plats (Public Hearing)

BOARD ACTION

Motion: Vote: Other:

Action: There were no Record Plats submitted for approval.

Item 3. Regulatory Extension Requests (Public Hearing)

Ashford Woods: Site Plan Amendment 82021011A – Regulatory Review Extension Request No. 2 - Request to extend the regulatory review period until October 24, 2023.

Application to revise grading, widen the public utility easement along MD 355, and minor adjustment to the WSSC pump station location; 141.4 acres; R-90, Rural, Clarksburg East Environmental Overlay and Clarksburg West Environmental Overlay Zones; located on the southwest quadrant of the intersection of Frederick Road and Comus Road; 1994 Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Clarksburg Ten Mile Creek Area Limited Amendment. Create 1 lot for 11 single-family detached.

Staff Recommendation: Approval of the extension request

C. Van Alstyne

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Regulatory Extension

Request cited above.

Item 4. Roundtable Discussion

Parks Director's Report M. Riley

BOARD ACTION

Motion: Vote: Other:

Action: Received briefing.

Montgomery Parks Director Mike Riley gave a brief overview of the Enterprise Division and Enterprise Fund. Mr. Riley then introduced Christy Turnbull, Chief of the Enterprise Division, who offered a multi-media presentation regarding the Enterprise Division of Montgomery Parks.

Ms. Turnbull began by introducing part of the Enterprise management team appearing in person including Wheaton Indoor Tennis Manager Michael Arrigo, Cabin John Ice Rink Manager William (Bill) Anderson, Construction Supervisor Doug Castner, and Area Recreation Program Manager Brian Borge. Ms. Turnbull stated the Enterprise Division consists of nine career staff whose work program includes: Division Management, Budget and Procurement, Human Resources and Recruitment, Managerial Support and Enterprise Coordination, Facility Maintenance and Construction, and Lease payments. The Enterprise Division also manages and oversees the operation of 16 facilities that are entirely funded though user fees and other non-tax revenue sources.

Ms. Turnbull noted FY23 was a successful year for the Enterprise Fund balance and proceeded to give an overview and discuss many of the different facilities the Enterprise Division oversees in greater detail including: ice rink facilities (Cabin John Ice Rink and Wheaton Ice Arena), indoor tennis facilities (Pauline Betz Addie Tennis and Wheaton Tennis), event centers (Rockwood Manor and Seneca Lodge), park facilities (Little Bennett Campground, boat facilities, trains and carousels, South Germantown Facilities, the Sports Pavilion, and Brookside Gardens), and 2023 summer camps.

Ms. Turnbull explained the FY23 actual revenue, FY24 adopted revenue, staffing, programs and services, recent improvements, and future projects for each of the facilities as well.

The Board asked questions regarding what support the Planning Board could provide to make park facilities bigger and better, and Staff offered comments and responses.

Item 5. Parks Department, FY 25-30 Capital Improvements Program – Work Session

Staff recommendation: Review of staff proposed funding scenario(s) and provide any additional guidance to staff prior to adoption

R. Peele/J. Prister

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Received briefing followed by discussion. Approved staff recommendation to maintain M-NCPPC Bonds at current level and transmit to County Executive and County Council in a transmittal letter that will be drafted at a later date

Andy Frank, Chief of Park Development Division, gave a brief overview of what to expect during the presentation and Ronald Peele, Capital Improvements Program (CIP) Manager offered a multimedia presentation regarding the Montgomery Parks Department FY25-30 CIP Work Session. Further information can be found in the Staff Report dated September 14, 2023.

Mr. Peele stated that during this work session funding scenarios will be reviewed for the FY25-30 Capital Improvements Program in preparation for adoption of a final request on October 19, 2023. This includes a recommendation regarding the Spending Affordability Guidelines (SAG) for M-NCPPC bonds that the Council will begin to discuss this month and enact on October 3, 2023.

Mr. Peele explained the scenario presented today will be to maintain the M-NCPPC Park Bonds at \$8 million per year level, and briefly described the basis for the recommendation as well as the community feedback received through live testimony and written correspondence, which more than doubled from the last CIP cycle.

Mr. Peele discussed each of the Project Description Forms (PDFs) proposed for increase in greater detail which included: Energy-Conservation: non-local, Planned Lifecycle Asset Replacement (PLAR): non-local, Stream Protection: Stream Valley Parks (SVP), Trails: Hard Surface Renovations, Trails: Hard Surface Design and Construction, Vision Zero, Trails: Natural Surface and Resource-Based Recreation, Wheaton Regional Park-Adventure Park, Wheaton Regional Park Improvements, and the new Park in Lyttonsville.

Mr. Peele then gave an overall summary of the recommended funding increases in which Parks share of County General Obligation (GO) Bonds will increase from 4 percent to 5.6 percent for the proposed scenario. Mr. Peele also discussed the proposed transfer of the Parks Roads PDF from MCDOT to GO Bond funding, and noted no new funding will be requested for the transfer.

Lastly, Mr. Peele explained the SAG for the M-NCPPC and GO Bonds, again noting the recommendation to maintain the current \$8 million per year level for the M-NCPPC Bonds.

The Board asked questions regarding the PDF for Wheaton Regional Park, Parks top priorities, and stream valley funding sources.

Staff offered comments and responses to the Board's questions.

The Board offered further comments regarding importance to identify funding matched from the RAISE grant, importance for implementing the Wheaton Regional Park Master Plan, and encouraged remarks to be stated as firmly as necessary.

Item 6. FY25 Operating Budget Overview

K. Knaupe

BOARD ACTION

Motion: Vote: Other:

Action: Received briefing.

Katie Knaupe, Deputy Corporate Budget Director, offered a multi-media presentation regarding the FY25 Operating Budget Overview.

Ms. Knaupe gave a brief overview of the budget timeline, Key Trends, FY25 Budget outlook, expenditure estimates, FY25 Budget Strategy, and the six-year outlook.

Ms. Knaupe stated the Budget timeline was presented as follows: Staff will present proposed Budget to Planning Board in October and November, followed by Commission approval of the Budget December 21, 2023. Proposed Budget Books will be presented to the County Executive and County Council on January 15, 2024. The County Executive will make recommendations by March 15, 2024, and the County Council will hold Public Hearings and review the Budget throughout April. In May, the County Councils will meet jointly, and adopt the Budget by June 1, 2024. Lastly, the Commission will adopt the Budget Resolution by June 21, 2024.

Some of the Key Trends included: Assessable Base, Tax Rates Trends, Expenditure Trends, and Personnel Cost Pressure. Ms. Knaupe stated internal cost pressures continue to be employee compensation, health insurance, retirement and OPEB, Operating Budget Impact (OBI) for new facilities, and debt service. Ms. Knaupe noted the estimated summary of major cost pressures would be approximately \$3,122,408.00 for the Administration Fund and \$10,085,215.00 for the Parks Fund.

Ms. Knaupe then discussed the FY25 Budget Strategy, and noted the County balanced the FY24 Administration and Park Funds by increasing the tax rate, but currently the costs are growing faster than revenues, assuming no property tax rate increase.

Lastly, Ms. Knaupe discussed the Six-Year Outlook, and stated it is likely tax rate increases are projected in order to maintain minimal fund balance above the required reserve level.

The Board asked questions regarding the Administration Fund, clarity of total increase, if the compensation increase included merit employees, levels of projected fund balance, and relation of Montgomery County and Prince George County budgets.

Staff offered comments and responses to the Board's questions.

Item 7. Arora Estates (Public Hearing)

- A. Preliminary Plan No. 120230050. Request to create a four-lot subdivision for four single family detached units; 9.26 acres; RE-2 zone, located at the southwest quadrant of Boswell Lane and Glen Mill Road (10400 Boswell Lane and 12900 Glen Mill Road); 2002 Potomac Subregion Master Plan.
- B. Preliminary/Final Forest Conservation Plan No. 120230050: Request to impact and remove specimen trees and satisfy afforestation/reforestation requirements associated with Preliminary Plan No. 120230050; 9.26 acres; RE-2 zone, located at the southwest quadrant of Boswell Lane and Glen Mill Road (10400 Boswell Lane and 12900 Glen Mill Road); 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with Conditions

P. Estes/S. Pereira

A. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Preliminary/Final Forest Conservation Plan cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Phillip Estes, Planner III, offered a multi-media presentation regarding Arora Estates. Further information can be found in the Staff Report dated September 8, 2023.

Mr. Estes began by describing the location and vicinity of the property located at 12900 Glen Mill Road and 10400 Boswell Lane. Mr. Estes stated the Applicant proposes to create four lots to construct two new single-family detached units. Two existing single-family detached units will remain. The property has frontage on Boswell Lane and Glen Mill Road, and Mr. Estes notes no new frontage improvements are required. Access to the proposed lots will be via one driveway from Boswell Lane and three driveways from Glen Mill Road. The existing driveway on Lot 1 will remain unchanged, and both Lot 2 and Lot 3 will require new driveways and curb cuts. To avoid a third curb cut on Glen Mill Road (Rustic Road) and impacting or removing mature trees along the road frontage, the existing driveway for Lot 4 will remain in its current alignment and require an access easement across Lot 3.

Mr. Estes also explained the Applicant submitted a tree variance request proposing impact to eight trees and removal of seven trees due to unavoidable construction impacts. The Applicant proposes mitigation at a rate that approximates the form and function of the tree removed. These trees will be replaced by planting twenty 3-inch caliper mitigation overstory trees on-site.

Jody Kline of Miller, Miller and Canby offered comment on behalf of the Applicant and noted acceptance of all conditions. Mr. Kline offered further comments regarding community outreach.

The Board asked questions regarding further explanation of the water quality plan, ownership of the two existing properties, driveway encroachment onto adjacent lot, and if every subdivision requires an individual preliminary plan.

Staff, including Planner III Doug Johnsen, offered comments and responses to the Board's questions.

Item 8. Wildwood Manor Swim Club, Forest Conservation Plan No. F20230180 (Public Hearing)

Request for approval of a Forest Conservation Plan associated with the proposed renovation of the pool, existing building, and parking and to make updates for stormwater management and ADA accessibility. The forest conservation plan area includes a previously unrecorded cemetery dating back to prior ownership of the land by an African American family following the Civil War, and may include the graves of people who were once enslaved. The cemetery and surrounding forest are being protected in a Category I Forest Conservation Easement. Forest preservation is sufficient to negate the need for forest planting. The Application includes a variance for disturbance and removal of several priority trees. No disturbance is proposed to the existing cemetery.

Staff Recommendation: Approval with Conditions

S. Findley/B. Crane

BOARD ACTION

Motion: Bartley/Hedrick

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Forest Conservation Plan cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Steve Findley, Planner IV, and Brian Crane, Cultural Resources Planner III, offered a multi-media presentation regarding the Wildwood Manor Swim Club. Further information can be found in the Staff Report dated September 7, 2023.

Mr. Findley gave a brief overview of the project history and site vicinity. The 4.75-acre Property is developed on the east side with an existing swimming pool, pool house, and parking, with a grassy area next to the driveway entrance used for volleyball in the southwest corner. A cemetery is located within the wooded area to the west of the pool, and lies outside the Limits of Disturbance for the project.

Mr. Findley stated the project proposes to remove and replace the existing 6-lane pool with a new 8-lane pool, remove and replace existing pavement, upgrade the parking lot and driveway, and refurbish the building. At the same time, the swim club facilities will be brought up to code for fire and rescue access, stormwater management, and ADA accessibility. Specific work associated with the pool renovation will be the subject of commercial building permits issued by the Department of Permitting Services and will not extend beyond the limits of disturbance approved through the subject Forest Conservation Plan. Most of the existing forest will be preserved and placed in a Category I Forest Conservation Easement to ensure its long-term protection.

Mr. Findley noted Forest Conservation Plan proposes to remove 0.65 acres of forest and retain 1.44 acres. A Forest Conservation tree variance has been requested due to removal of 9 trees and impact to 15 Protected Trees for the construction of the new pool deck, pavement widening, driveway entrance and utilities. Fourteen native shade trees, each a minimum size of three caliper inches, are being planted in mitigation to replace the lost form and function of the protected trees

being removed outside of the existing forest. Mr. Findley noted the additional removal of two trees located at the access to the pool, but further noted they are not greater than the 30-inch diameter, and therefore are not included with the tree variance request.

Mr. Finley noted Staff received two emails from members of the community noting numerous concerns, and Mr. Findley offered comments and responses to the concerns.

Christopher M. Ruhlen of Lerch, Early, and Brewer offered comments on behalf of the Applicant regarding the timing of the project and agreement to conditions. Mr. Ruhlen offered further comments regarding the pedestrian bridge.

The Board asked questions regarding forest mitigation, potential increase in traffic or activities onsite, the pedestrian bridge, stormwater management facilities, and increase in chlorinated water discharged to Rock Creek.

Staff offered comments and responses to the Board's questions.

Mark Etheridge of the Department of Permitting Services (DPS) offered comments regarding micro-bioretention facilities for the property.

John Chadwick of The OGC Company, LLC offered comments regarding the dechlorinated system for the Wildwood Manor Swim Club pool.

Ramy Fayed of Wildwood Manor Swimming Association offered further comments regarding the pedestrian bridge on the property.

Item 9. Planning Board Briefing on Update to the Montgomery County Burial Sites Inventory

Staff Recommendation: Staff recommends that the Planning Board adopt the addition of the Newman Family Cemetery to the Montgomery County Burial Sites Inventory.

B. Crane/R. Ballo

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

Action: Approved staff recommendation to adopt the addition of the Newman Family Cemetery to the Montgomery County Burial Sites Inventory.

Brian Crane, Cultural Resources Planner III, offered a multi-media presentation regarding an update to the Montgomery County Burial Sites Inventory. Further information can be found in the Staff Report located on the Planning Board website listed under the September 21, 2023 Agenda.

Mr. Crane provided a brief overview of the Montgomery County Guidelines for Burial Sites, and stated a burial site is defined in the ordinances as the "physical location where human remains were buried in the earth or entombed in a mausoleum or columbarium. A burial site includes a cemetery, but does not include the sprinkling of ashes from cremated remains." Mr. Crane noted the Planning Board is normally briefed once annually about additions to the inventory. This update is out of sequence because it relates to an application for a Forest Conservation Plan, which is a first for the Burial Sites Inventory.

Mr. Crane briefly discussed the background of the inventory which has 337 total burial sites, 257 known locations, 80 approximate locations, and 38 locations under investigation for possible future addition. There are also 17 redacted locations where there is concern about whether the site could be vulnerable to vandalism if its exact location were to be made known.

Mr. Crane explained this update to the burial sites inventory is to add the Newman Family Cemetery to the inventory as a known site.

Mr. Crane then discussed the Staff findings which included: there is a burial ground possibly associated with the family of Joseph Newman (1846-1907) on the grounds of the Wildwood Swimming Pool; the graveyard is shown on a 1957 USGS map of the area, as well as a 1958 plan for the pool; neighbors alerted Montgomery Planning to the possible cemetery in April 2023; Montgomery Planning requested that the Pool conduct archaeological investigations to delineate the boundary of the cemetery as part of the review process for Administrative Subdivision 620230070; archaeological investigations conducted by the Ottery Group discovered 13 possible or probable graves in the vicinity of the location indicated on the 1958 plan; and Montgomery County has added the cemetery location to the Montgomery County Burial Sites Inventory as the Newman Family Cemetery (HP-359).

The Board asked questions regarding reasoning for redacted sites, future planning to honor the cemetery site, and potential template for future Forest Conservation Plans that may include cemeteries.

Staff offered comments and responses to the Board's questions.

Item 10. Complete Streets Design Guide Briefing

The Board will receive a briefing on the Complete Streets Design Guide, a collaborative effort completed in 2021 between the Montgomery County Department of Transportation and Montgomery Planning to comprehensively overhaul the county's approach to street design.

S. Aldrich

BOARD ACTION

Motion: Vote: Other:

Action: Received briefing.

Stephen Aldrich, Planner IV, offered a multi-media presentation regarding the current Complete Street Design Guide and proposed changes. Further information can be found in the Staff Report dated September 14, 2023.

Mr. Aldrich noted the Complete Streets Design Guide (CSDG) is an effort being led jointly by the Countywide Planning and Policy Division within Montgomery Planning and by the Montgomery County Department of Transportation (MCDOT) to develop a comprehensive guide to the street design in Montgomery County and follow the County's Vision Zero goals. The document was approved by the Planning Board in 2021, and will be undergoing modification within the next several months. Planning and MCDOT staff will also return to present proposed changes to the existing CSDG document likely in early 2024.

Mr. Aldrich then gave an overview and discussed Chapters 1 and 2 of the Complete Streets Design Guide in greater detail. Mr. Aldrich also discussed the different street types and draft area type designations as well as additions to special streets including: rustic/exceptional rustic roads, alleys, residential shared streets, and commercial shared streets.

Andrew Bossi of MCDOT then discussed the cross-sections for each of the street zones portion of the multi-media presentation. Mr. Bossi noted each street type has a set of six pages in the Complete Streets Design Guide, and the first two pages include photo examples of the street type as well as a sample cross-section. Mr. Bossi then described the cross sections for the following: downtown boulevard, downtown street, and boulevard.

Mr. Bossi explained the prioritization for Complete Streets and discussed Chapters 5 through 9 which include: Bikeways, Intersections, Green Streets, Speed Management, and Implementation. Mr. Bossi noted Chapter 9 includes guidance on implementation prioritization, specifically calling out Equity Emphasis Areas, School Zones, and Bike / Ped Priority Areas as places where higher funding prioritization should be considered.

Mr. Bossi stated the County Council approved Bill 24-22 and Bill 34-22, which became effective February 7, 2023, which changed Chapters 49, 50, and 59 to encode Complete Streets into County law. Mr. Bossi further explained updates to the Chapter 49 Regulations are currently being worked

on, which will provide more detail to the Code, and draft regulations will eventually be submitted to the County Council for approval.

Lastly, Mr. Aldrich described the work on CSDG Version 2, which will include a change list developed by technical staff based on the County Code changes, need for a consultant to revise the document, public information meeting to discuss proposed changes, and anticipated Planning Board review and approval in Spring 2024.

The Board asked questions regarding shy zones, differences of County operation for summer and winter, and design standards for buffers.

Staff, including Multimodal Transportation Supervisor David Anspacher, offered comments and responses to the Board.

Andrew Bossi and Dan Sheridan of MCDOT offered comments and responses regarding shy zones, County operations and design standards for buffers.

Item 11. Master Plan of Highways and Transitways – Technical Update Scope of Work

The Master Plan of Highways and Transitways is a comprehensive summary of all significant existing and planned highway and transitway infrastructure in Montgomery County and preserves rights-of-way, identifies street classification, and identifies the number of lanes dedicated to general traffic and dedicated transitways, among other things. This effort will comprehensively update the street classifications to incorporate the Complete Streets Design Guide street types. Staff Recommendation: Approve the Draft Scope of Work.

S. Aldrich

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Scope of Work cited

above.

Stephen Aldrich, Planner IV, offered a multi-media presentation regarding the proposed draft Scope of Work for the Master Plan of Highways and Transitways – Technical Update. Further information can be found in the Staff Report dated September 14, 2023.

Mr. Aldrich gave a brief overview of the Master Plan of Highways and Transitways (MPOHT), which is a comprehensive summary of all master planned roadway and transitway infrastructure recommendations countywide. Mr. Aldrich noted it is multimodal and includes recommendations for: Master planned right-of-way widths, planned number of through travel lanes, planned number of dedicated transit lanes, target speeds, and locations of planned interchanges and transitway stations.

Mr. Aldrich noted a technical update to the MPOHT is necessitated by the County Council's approval of Bills 24-22 and 34-22 that revised the street types identified in Chapter 49 of the County Code, also known as the "Road Code" to conform to the County's Complete Streets Design Guide. While the updated County Code provides an interim translation from the previous "functional" classification system to the new "complete streets" classification system, adjustments to these default translations are needed for various road segments in the County.

Mr. Aldrich described the purpose and five key work efforts which included: reevaluating the classifications of all existing MPOHT roads to ensure that each road is accurately and contextually classified based on the intended roadway function; identifying target speeds for all MPOHT roads where no target speed is currently recommended and consider adjustments to target speeds on MPOHT roads where the recommended target speed differs from the target speed identified in the CSDG; introducing a new approach to street design along the suburban areas of the "Growth Corridors" identified in Thrive Montgomery 2050 that provides a framework for slower target speeds and more frequent protected crossings, among other things; reevaluating master planned transit station locations; and integrating highway and transitway data into Montgomery Planning's multimodal transportation Geographic Information Systems (GIS) network.

Mr. Aldrich then explained tasks 1 through 7 included in the draft Scope of Work in greater detail and the anticipated timeline as defined below:

- Task 1: Development of Scope of Work September 2023
- Task 2: Engagement November 2023 March 2024
- Task 3: Development of Recommendations September 2023 February 2024
- Task 4: Working Draft Master Plan March 2024
- Task 5: Planning Board Public Hearing April 2024
- Task 6: Planning Board Work Sessions and Plan Draft May 2024
- Task 7: County Council Review/Approval and Commission Adoption November 2024

The Board did not have any questions or comments and moved to vote on the Scope of Work.